

19

From: "Peggy Risch/Stefan Schittko" <pegstef@snowcrest.net>
To: <bholt@mp.usbr.gov>
Date: 7/9/00 3:06PM
Subject: McCormick-Saeltzer dam removal

Dear Buford Holt,

I am writing in support of the removal of the McCormick-Saeltzer dam. I appreciate the opportunity to comment on this.

19-1 { The dam removal would benefit numerous species, most notably the threatened salmon and steelhead. I do believe that restoration following the dam removal should be done as soon as possible and in a manner consistent with the recreation and scenic values of the area. It is my understanding that such an action is consistent with the BLM goals for the creek. Following the dam removal, the Bureau of Reclamation should adopt instream flows of 200cfs (as a minimum flow) to fully restore the fish habitat in the Clear Creek, as recommended by the Anadromous Fish Restoration Plan.

19-2 {

I thank you once again.

sincerely,

Peggy Risch
709 Ski Bowl Dr.
Mt. Shasta, CA 96067

Letter from Peggy Risch Dated July 9, 2000

19-1 Please see Response 6-3.

19-2 Please see Response 6-2.

20

From: <BDMadgic@aol.com>
To: <bholt@mp.usbr.gov>
Date: 7/10/00 8:24AM
Subject: Removal of Saelzer-McCormick Dam

20-1 { Dear Mr. Holt,
Please do not allow any interference with the removal of the Saelzer dam! The time has finally come to correct this problem. Approve this decision as quickly as possible. Property owners who have benefitted from the water of Clear Creek with no rights do not now have recompensation rights.
Thank you,
Bob and Diane Madgic
6412 Clear Creek Dr.
Anderson, CA

Letter from Bob and Diane Madgic Dated July 10, 2000

20-1 Thank you for your comment. No response is necessary.

21

Allen Harthorn
Friends of Butte Creek
500 Orange Street
Chico CA 95928

Buford Holt
Bureau of Reclamation,
16349 Shasta Dam Boulevard
Shasta Lake CA 96019



July 10, 2000

ORIGINAL FILE COPY RECEIVED	
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BUREAU OF RECLAMATION NORTHERN CALIFORNIA DIVISION	
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FILES	

Dear Buford,

As you know, Butte Creek sustains threatened steelhead and spring run chinook salmon. It is one of the few remaining streams that sustain these fish populations. Significant measures including dam removal have been accomplished at great taxpayer expense to restore habitat for these species on Butte Creek. The recovery has been impressive although significant problems still exist such as destroyed riparian areas, reduced flows, increased temperatures, and man-made barriers. Recovery of the species will require opening any and all available habitat in the Sacramento Valley. The removal of McCormick/Saelzer Dam will significantly improve the quantity and quality of habitat for these species in the Sacramento Valley. All efforts should be made to remove the dam as quickly as possible and develop alternative methods of diversion or acquisition or replacement of the diverted water.

- 21-1 { Dam removal should be consistent with the Bureau of Land Management's goals to restore public recreation opportunities, and protect scenic and natural values along the creek. Dam removal will also increase public safety by removing an attractive but dangerous nuisance and
- 21-2 { eliminate the possibility of future catastrophic dam failure. Once the dam is removed, the Bureau of Reclamation should adopt instream flows of at least 200 cfs to fully restore fish habitat in Clear Creek, as recommended by the CVPIA Anadromous Fish Restoration Plan. Gravel and
- 21-3 { sediment removed from behind the dam should be used to reclaim mine tailings along the creek, and ensure restoration of scenic and recreation values. Those indirectly benefitting from seepage
- 21-4 { from the dam's diversion ditch should not be compensated for the loss of water they do not own or purchase.

Thank you for the opportunity to comment.

Sincerely,

Allen Harthorn

Letter from Allen Harthorn Dated July 10, 2000

- 21-1 Please see Response 6-3.
- 21-2 Please see Response 6-2.
- 21-3 Please see Response 6-5.
- 21-4 Please see Response 6-7.

22

From: "Curtis Knight" <caknight@jps.net>
To: <bholt@mp.usbr.gov>
Date: 7/11/00 3:23PM
Subject: CalTrout Saeltzner Dam Removal Comments

11 July 2000

Mr. Buford Holt
 Bureau of Reclamation
 16349 Shasta Dam Boulevard
 Shasta Lake, CA 96019

Subject: California Trout Comments on the Draft Environmental
 Assessment/Initial Study (EA/IS) for the Proposed Saeltzner Dam Fish Passage
 and Flow Preservation Project.

California Trout would like to express full support for the proposed Saeltzner Dam Fish Passage and Flow Preservation Project. This project has been identified by the CALFED Bay-Delta Restoration Program as a way to restore a small portion of the 90% of Central Valley salmon and steelhead habitat that has been blocked by dams in the past century.

- 22-1 { In addition to the removal of a migration barrier, this project would also increase flows in Clear Creek benefiting threatened spring-run salmon and steelhead as well as resident trout. Minimum instream flows of at least 200 cfs should be adopted to fully restore fish habitat in Clear Creek.
- 22-2 { The economic benefits of an improved fishery should not be overlooked. California's \$2.8 million anglers spend on average \$500 per outing. Clear Creek's proximity to Redding, as well as being on route for anglers going from the Bay Area to more northern trout waters, suggest that this could be a popular fishing destination. Clear Creek has the potential to be an excellent trout fishery in turn benefiting the local economy.
- 22-3 { California Trout is hopeful that illegal claims and uses of Clear Creek water will not delay or substantially increase the cost of dam removal. The Department of Fish and Game has been working to remove the dam for over 40 years. Any delays due to the complaints of people indirectly benefiting from Clear Creek water would be inexcusable. Furthermore, indirect beneficiaries should not be compensated for the loss of water they do not own.

Sincerely,
 (signed)
 Curtis Knight
 California Trout, Inc.
 Northeast Conservation Manager

Letter from Curtis Knight Dated July 11, 2000

- 22-1 Please see Response 6-2.
- 22-2 Thank you for your comment. No response is necessary.
- 22-3 Please see Response 6-7.

Curtis Knight
California Trout, Inc.
Northeast Conservation Manager
PO Box 650
Mt. Shasta, CA 96067
PH: (530)926-3755
Fax: (530)926-8909
caknight@jps.net
www.caltrout.org

Letter from Curtis Knight Continued

23

From: <MELINBRO@aol.com>
 To: <bholt@mp.usbr.gov>
 Date: 7/12/00 6:10PM
 Subject: McCormick Saeltzer Dam Removal

July 12, 2000

Buford Holt
 U.S. Bureau of Reclamation
 16349 Shasta Dam Boulevard
 Shasta Lake CA 96019

Dear Mr. Holt,

I am writing to document my support for removal of the McCormick Saeltzer Dam and restoration of the riparian area it flows through. This chance to re-claim 10 miles of the stream for steelhead and salmon and other creatures is exciting and long overdue. The direct parties are all in support, i.e. the public, the McConnell Foundation along with state and federal agencies. I support the Bureau adopting instream flows of at least 200 cfs, to fully restore fish habitat in Clear Creek as recommended by the Anadromous Fish Restoration Plan, and encourage full restoration of the public lands including scenic recreation attributes now obscured by mine tailings.

23-1

23-2

And finally, the owner of the private waterskiing lake, who has benefitted for years, who knew when he built the lake that dam removal had been discussed and was a goal of agencies, and who built his lake by choice – this freeloader should NOT be compensated for losing the ability to continue freeloading especially when ample water is obtainable through purchase from other sources thus helping profitability of those water district/purveyors. If purchasing water is not feasible for his "private country club," he has been aware of that, built his business despite that fact – and that's his business – not the business of the public to bail him out and provide free funding. Not only has he had an unfair business advantage for years, his use cannot have been entirely benign. Water flowed freely to him and passed through eventually back to the river but not, however, without extensive evaporation loss (you can calculate the extent of this) which has robbed the environment and the public of water needed elsewhere. In fact, is there any way of charging him for this loss? There's an ideal

23-3

23-4

Unfortunately, his lake drying up will probably cause the migration of his paying customers to other nearby areas which I enjoy causing heavier impact upon shore erosion and peaceful solitude at Whiskeytown Lake and on the Sacramento River.

23-5

I can't believe that any governmental entity will willingly give this business owner any compensation but if that is indeed being considered, please add my vote against the idea.

Sincerely,

Melinda Brown

Letter from Melinda Brown Dated July 12, 2000

- 23-1 Please see Response 6-2.
- 23-2 Please see Response 6-3.
- 23-3 Loss of water in the dredge ponds was included in the groundwater analysis in the EA/IS. Increased flows as a result of the project are expected to have a beneficial effect on Clear Creek.
- 23-4 As noted in the EA/IS, it is anticipated that the water ski park will remain in operation after implementation of the project. Motorized water sports at reservoirs in the surrounding area were not analyzed as part of this project.
- The Proposed Project neither impacts land use designations nor prevents landowners from obtaining alternate sources of water that may be necessary to continue to operate their private, non-profit, or commercial business ventures.
- 23-5 No plans exist to provide compensation for “secondary” beneficiaries of the ditch.

9951 Tilton Mine Road
Redding, CA 96001

(530) 243-3811

Letter from Melinda Brown Continued

24

July 12, 2000

Buford Holt
Bureau of Reclamation
16349 Shasta Dam Boulevard
Shasta Lake, CA 96019

Dear Mr. Holt,

I am writing to you regarding the McCormick-Saeltzer Dam. I would like to make my voice heard in the request/support for it's removal. I have read quite a bit about this issue now and have a couple of pertinent points that I would like to make.

24-1 { First, and most important, the removal of the dam will restore habitat for salmon and steelhead that are threatened. With this in mind, along with the removal of the dam, the instream flows for the river should be increased to flows of at least 200 cfs. This is the minimum needed to restore a healthy aquatic system in Clear Creek.

Second, the dam's structural integrity has been brought into question, which is a flood and safety hazard for the downstream towns and cities. I have learned that should this dam fail in flood, the effects would be catastrophic!

24-2 { Finally, being the conservationist I am, I would recommend using the gravel and sediment built up behind the dam to reclaim mine tailings along the creek, and to restore the scenic value of the creek.

Thank you for your time, and I hope to be cheering your decision in a short time!

Sincerely,

Eve Ladwig-Scott
2019 Picasso Ave.
Davis, CA 95616

Letter from Eve Ladwig-Scott Dated July 12, 2000

24-1 Please see Response 6-2.

24-2 Please see Response 6-5.

25

From: Elizabeth Brink <ebrink@irn.org>
To: <bholt@mp.usbr.gov>
Date: 7/12/00 11:59AM
Subject: IRN supports removal of McCormick-Saeltzer Dam

(We are sending a copy of this letter in the mail as well)

Buford Holt
 Bureau of Reclamation
 6349 Shasta Dam Boulevard
 Shasta Lake CA 96019
 bholt@mp.usbr.gov

7/12/00

Dear Mr. Holt,

This letter is to express the support of International Rivers Network (IRN) for the removal of the McCormick-Saeltzer dam. IRN is an international environmental and human rights group. We work with a global network of people who are working to protect their rivers and watersheds. We work to halt destructive river development projects and to encourage equitable and sustainable methods of meeting needs for water, energy and flood management. With our River Revival project IRN promotes the restoration of rivers through dam decommissioning.

IRN supports the removal of the McCormick-Saeltzer dam for many reasons. First, removal of the dam will restore habitat for threatened salmon and steelhead, as well as riparian habitat for numerous wildlife species. Dam removal is consistent with the Bureau of Land Management's goals to restore public recreation opportunities, and protect scenic and natural values along the creek. Dam removal will also increase public safety by removing an attractive but dangerous nuisance and eliminate the possibility of future catastrophic dam failure.

25-1 { Once the dam is removed, the Bureau of Reclamation should follow the recommendations of the Anadromous Fish Restoration Plan and adopt instream flows of at least 200 cfs to fully restore fish habitat in Clear Creek. Gravel and sediment removed from behind the dam should be used to reclaim mine tailings along the creek, and ensure restoration of scenic and recreation values.

25-2 { Finally, we do not feel that those currently indirectly benefiting from seepage from the dam's diversion ditch should be compensated for the loss of water they do not own or purchase.

Letter from Elizabeth Brink Dated July 12, 2000

25-1 Please see Response 8-1

25-2 Please see Response 8-2

Thank you for taking the time to read our comments. Should you have any questions feel free to contact our office at the number given below.

Sincerely,
Elizabeth Brink

Elizabeth Brink
River Revival - International Rivers Network
1847 Berkeley Way, Berkeley, CA 94703
510.848.1155 ext. 331
510.848.1008 (fax)
ebrink@irn.org
www.riverrevival.org

CC: <sevans@friendsoftheriver.org>

Letter from Elizabeth Brink Continued

26

From: "Dianna M. Thrasher" <diannamt@c-zone.net>
To: <bholt@mp.usbr.gov>
Date: 7/12/00 10:18AM
Subject: Remove McCormick-Saeltzer Dam

Dear Mr. Holt,

I strongly support removal of the McCormick-Saeltzer dam on Clear Creek. I have hiked along the creek in the Whiskeytown area, and also in the Horsetown-Clear Creek Preserve area below the dam.

... Removal of the dam would significantly enhance the public lands and provide for restoration of habitat for threatened salmon and steelhead, as well as riparian habitat for numerous wildlife species.

26-1 { ... Dam removal should be consistent with the Bureau of Land Management's goals to restore public recreation opportunities, and protect scenic and natural values along the creek.

... Dam removal will also increase public safety by removing an attractive but dangerous nuisance and eliminate the possibility of future catastrophic dam failure.

26-2 { ... Once the dam is removed, the Bureau of Reclamation should adopt instream flows of at least 200 cfs to fully restore fish habitat in Clear Creek, as recommended by the Anadromous Fish Restoration Plan.

26-3 { ... Gravel and sediment removed from behind the dam should be used to reclaim mine tailings along the creek, and ensure restoration of scenic and recreation values.

26-4 { ... Those indirectly benefiting from seepage from the dam's diversion ditch should not be compensated for the loss of water they do not own or purchase.

Thank you for considering my remarks. I urge you to include the above points in the proposal.

Dianna Thrasher
 3497 Old Lantern Drive
 Redding, CA 96003
 Phone: 244-6961

Letter from Dianna Thrasher Dated July 12, 2000

- 26-1 Please see Response 6-3.
- 26-2 Please see Response 6-2.
- 26-3 Please see Response 6-5.
- 26-4 Please see Response 6-7.

27

From: "Matt Richardson" <matt_richardson@hotmail.com>
To: <bholt@mp.usbr.gov>
Date: 7/12/00 6:02PM
Subject: Remove the McCormick-Saeltzer Dam

Dear Buford Holt,

My name is Matt Richardson. I am 28, a native californian, and recently left the corporate world and went back to school (Physical Therapy).

I'd like to write to you encouraging you to support the removal of the McCormick-Saeltzer Dam.

Although I'd like to write you a more in depth letter I am studying for summer midterms but can make my point quickly. Whether you are in the corporate world or a starving student or neither every one can appreciate the good-ol outdoors.

Removing the McC-Saeltzer dam will:

- 27-1 {
-restore habitat for the threatened salmon and steelhead, and
-should be consistent with the Bureau of Land Management's goals to restore public recreation opportunities, and protect scenic and natural values along the creek.

A healthier environment is a wealthier environment.

Thank you for your time and please feel free to contact me for any reason.

Sincerely,
Matt Richardson
415.751.7742

Get Your Private, Free E-mail from MSN Hotmail at <http://www.hotmail.com>

Letter from Matt Richardson Dated July 12, 2000

27-1 Please see Response 6-3.



NORCAL

28

FISHING GUIDES AND SPORTSMEN'S ASSOCIATION

P.O. Box 1403
Anderson, CA 96007
Phone (530) 347-9668 Ext. 505

July 13, 2000

Mr. Buford Holt
Bureau of Reclamation
16349 Shasta Dam Boulevard
Shasta Lake, CA 96019

Mr. Holt,

We are writing in support of the Saelzler Dam Fish Passage and Flow Preservation Project. Our organization has been working with the Lower Clear Creek CRMP towards the completion of this project for the last four years. We are very excited that the 11 miles of unused spawning habitat above Saelzler dam can finally be utilized by anadromous fish.

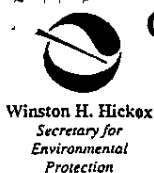
28-1 { We feel it is imperative that this project be completed this year so as not to lose yet another annual run of salmon and steelhead.

Sincerely,

Mike Bogue
President

Letter from Norcal Fishing Guides and Sportsmen's Association Dated July 13, 2000

28-1 Thank you for your comment. No response is necessary.



California Regional Water Quality Control Board

Central Valley Region

Steven T. Butler, Chair

Redding Branch Office

Internet Address: <http://www.swrcb.ca.gov/~rwqcb5>
415 Knollcrest Drive, Suite 100, Redding, California 96002
Phone (530) 224-4845 • FAX (530) 224-4857

29

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RE: 29		



Gray Davis
Governor

10 July 2000

Mr. Harry Rectenwald, E.S. IV
Department of Fish and Game
601 Locust Street
Redding, CA 96001

NEGATIVE DECLARATION, AND INITIAL STUDY/ENVIRONMENTAL ASSESSMENT FOR THE SAELTZER DAM, SCH # 2000062054, CLEAR CREEK, SHASTA COUNTY

We have reviewed the June 2000 *Saeltzler Dam Fish Passage and Flow Protection Project, Joint Environmental Assessment/ Initial Study* prepared by North State Resources, Inc. We have also reviewed the *Finding of No Significant Impact* (FONSI) document prepared by the US Bureau of Reclamation and the *Negative Declaration* document prepared by California Department of Fish and Game.

29-1


We have no objections to the project's goals. We also agree in principle with the FONSI and Negative Declaration provided the mercury content of the sediment wedge upstream of the dam is adequately characterized, and any mercury contaminated sediment is handled appropriately.

29-2

We are concerned that proposed sediment-sampling methods might not adequately characterize the mercury content of submerged sediments. Difficulty in recovering saturated unconsolidated sediments, especially from the bedrock surface where mercury may be concentrated, may limit the effectiveness of the sampling plan.

The "A" transect was only sampled with the Vibracore equipment down to approximately 2.5 feet before refusal and only the northern ½ of the sediment wedge was sampled for mercury. No rotary drilling was performed along the "A" transect and therefore no samples of the bedrock-sediment interface were taken. The bedrock-sediment interface is where mercury is most likely to be found due to its inherent elemental characteristics. The sediment material located in the "A" transect area has not been adequately characterized for mercury. The "B" transect was sampled in eight locations with both the Vibracore and rotary drill methods. Only two of the eight sample locations were sampled for mercury at the bedrock-sediment interface. The sediment material located in the "B" transect area has not been adequately characterized for mercury. The "C" transect was sampled in six locations with both the Vibracore and rotary drill methods. All six sample locations were tested for mercury but only to a maximum depth of 4.5 feet. The three rotary boreholes from north to south measured 13.8, 12.8 and 11.2 feet deep respectively. The sediment material located in the "C" transect area has not been adequately characterized for mercury. Additional sampling during sediment removal may be needed to fill in gaps in sampling coverage.

California Environmental Protection Agency

 Recycled Paper

Letter from California Regional Water Quality Control Board Dated July 10, 2000

- 29-1 Project implementation will be accomplished in close coordination with the CVRWQCB. Results of the sampling analysis and the design for the excavation indicate that sediments may be removed in a safe manner.
- 29-2 The inability of the Vibracore equipment to reach the sediment-bedrock interface on transect A was identified early in the sampling effort due to a need to avoid disturbing part of the cribbing structure of the old dam. Other methods for taking deeper samples were pursued including drill core devices where possible, however, variations in bedrock made it difficult to access all areas. The sampling results are useful in that they indicate that mercury contamination is unlikely to exceed toxic waste thresholds based on the degree to which samples from the bedrock-sediment interface are below the hazardous levels. However, to assure that mercury contamination does not result in significant impacts, monitoring and sampling efforts will continue through dam removal and dewatering of the reservoir pool. The project is phased such that detailed sampling will be possible throughout dam removal. Recent design modifications include development of a pilot channel that will be cut down near bedrock. This will allow for sampling of a complete cross section of sediments.

Saeltzer Dam Fish Passage
And Flow Protection Project

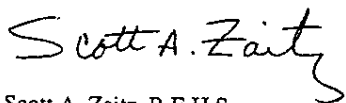
- 2 -

10 July 2000

29-3 { We are also concerned that during dam and sediment removal mercury could be released as water drains from disturbed sediment. This water may have to be removed prior to returning the upstream flow through the sediment excavation areas. Sediment with detected mercury needs to be as dry as possible before it is disturbed.

29-4 { Dam and sediment removal will require an Army Corp of Engineers §404 permit, a Dewatering permit and a Water Quality Certification §401 permit. Upstream and downstream monitoring of mercury, turbidity and settleable solids in Clear Creek will be required during dam and sediment removal and also during the return of the upstream flow through the sediment excavation area. Sediment removal methods may need to be modified if downstream mercury levels rise above background levels.

If you have any questions, please contact me at (530) 224-4784 or the letterhead address.



Scott A. Zaitz, R.E.H.S.
Environmental Specialist III
Shasta Cascade Watershed

SAZ:sae

cc: Buford Holt, U.S. Bureau of Reclamation, Shasta Lake City
U.S. Army Corps of Engineers, Sacramento
U.S. Fish and Wildlife Service, Sacramento
Margaret Lake, U.S. Bureau of Reclamation, Construction Management Group, D-8160, Denver
State Clearinghouse, Sacramento
North State Resources, Inc., Redding

Letter from California Regional Water Quality Control Board Continued

- 29-3 Project designs currently outline dewatering efforts to address potential impacts from contaminated sediments, if they are present at the site. Sediments and water will be sampled prior to removal, and if contamination is found sediments will be dewatered prior to removal.
- 29-4 The Bureau of Reclamation has requested authorization for the project from the Army Corps of Engineers under Section 404 of the Clean Water Act. Three are nationwide permits for reservoir dredging and wetland formation that may be applicable pending further analysis.

07/18/00 TUE 05:35 FAX 5302224858
Harry Rectenwald - David Swarts Reclamation plan

NORTH STATE RESOURCES

30

002
Page 1

x C John S. Pearce
7-17-00

From: Dave & Holli Swarts <gravelman@snowcrest.net>
To: Harry Rectenwald <HRectenw@dfg.ca.gov>
Date: 7/6/00 10:46AM
Subject: David Swarts Reclamation plan

30-1

30-2

Hi, David Swarts here, wanting to know if there are any alternatives to getting water to my gravel plant site and my pasture directly south of gravel plant site where I have a livestock business, other than those alternatives at the public meeting. Pumping from a well or ACID.. I also have a reclamation plan on file with the City of Redding, for the gravel operation, and a drop in the water level would possibly alter that plan. I feel if the reclamation plan needs to be ammended, the State Of Cal. Or Feds. should help. The reclamation plan can be viewed any time and any comment, or concerns can be directed to

the above Email or sent U.S. mail, or telephone. David W. or Holli A Swarts. 2000 Revocable Living Trust. 18041 Clear Creek Rd. Redding Ca.

96001. 530-241-9125

Thanks DWS.

Letter from David W. Swarts Dated July 6, 2000

- 30-1 No additional alternatives have been identified for delivering water to properties at the eastern portion of the project area.
- 30-2 As noted in the EA/IS, implementation of the Proposed Project is not anticipated to affect land use in the dredge tailing area. Accordingly, the reclamation plan associated with current mining operations is not likely to be affected.

07/18/00 TUE 05:35 FAX 5302224958

NORTH STATE RESOURCES

003



Rostenwald
CITY OF REDDING

OFFICE OF THE CITY MANAGER

760 Parkview Avenue, Redding, CA 96001-3396

P.O. Box 496071, Redding, CA 96049-6071

530.225.4060 FAX 530.225.4325

Michael Warren, City Manager

Philip A. Perry, Assistant City Manager

Kurt Starman, Deputy City Manager

July 14, 2000

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JUL 14 2000

REDDING

Mr. Don Koch, Regional Manager
California Department of Fish and Game
601 Locust Street
Redding, CA 96001

Subject: Initial Study/Environmental Assessment and Proposed Negative Declaration
for Fish Passage and Flow Protection Project

Dear Mr. Koch:

Our review of the environmental document has been completed. We have not identified any issues which could have a significant impact to the environment.

31-1

We understand that elimination of diversion of water to the Townsend Flat Water Ditch is a part of the project and could result in reduced watertable elevations to the adjacent areas. We hope that appropriate consideration and/or mitigation measures can be provided to any business or residence which may be impacted by the expected reduction of this watertable. Thank you for your consideration in this matter.

Sincerely,

Michael G. Mitchell
Economic Development Director

MGM:jsg
LTR00M714L-DK.wpd

Letter from City of Redding, Department of Economic Development, Dated July 14, 2000

31-1 No significant impacts have been identified. Therefore, no mitigation is required.

07/18/00 TUE 05:35 FAX 5302224958

NORTH STATE RESOURCES

004

John R. Williams
4130 Quartz Ct.
Redding, CA 96001

32

7-13-00

California Department of Fish and Game
Attn: Don Koch, Regional Manager
601 Locust Street
Redding, CA 96001

Subject: Saeltzer Dam fish passage and flow protection project.

Dear Don:

- 32-1 { The purpose of this letter is to inform you that I feel that the approx. 60 acres of property that I own at 17409 Clear Creek Rd. will be severely impacted as a result of this project.
- 32-2 { I am not against the project itself, but I think something must be done to mitigate the damage that will occur as a result of the loss of ground water that has been present on our property for almost 100 years.
- 32-3 { Our major concern is that loss of ground water will cause our well to dry out in the spring summer and fall months, and that our tournament water ski lake will drop to a level that will make it unusable during the prime water ski season, and that the lake will also lose its aesthetic appeal. I am also concerned that our water will become stagnant, and will have a foul odor due to the sulfur that is in the water. The water currently has very little odor due to the fact that clean fresh water is flowing through the gravel strata keeping the sulfur diluted, and flushed out.

Our water ski lake has the potential to be a world class facility, and that is what our goal has been. Several years ago we contacted PG&E to have the power lines that cross over our lake marked with balls on the wires. The reason we did this is because when we have a world class record setting ski tournament, it will have television coverage with helicopter flying overhead. PG&E has already relocated the existing transmission poles at a cost of several thousand dollars. All that remains is to hang the balls.

Another goal of ours is to rent out our lake for company picnics, weddings, class reunions, and private parties. We have built several picnic tables, but have held off in renting out the lake because we want to put an irrigation system around the lake so that we can keep the grass green, and have the facility in first class condition. Obviously, if the water is low and smelly none of our goals can be accomplished.

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JUL 17 2000

Dept. of F&G Rec'd

Letter from John R. Williams Dated July 13, 2000

- 32-1 The commentor does not present substantial evidence or new information regarding the project. Individual concerns raised in the commentor's letter are addressed below. Qualified professionals conducted analyses in a variety of fields. Barring new information or substantial evidence documenting a flaw in the analyses, the analyses presented in the EA/IS will remain unchanged.
- 32-2 As noted on page 3-5 of the EA/IS, landowners may expect a decrease in groundwater levels up to approximately 6.5 feet. The actual decrease at any particular location is expected to vary, depending on geologic conditions, proximity to the ditch, leakage along any particular stretch of ditch, and the proximity to other sources of water (i.e., creeks and washes). It is unlikely that a drop of 6.5 feet will lower groundwater levels below the screened depth of existing wells because seasonal reductions in groundwater levels currently exist – notably, when the ditch is shut down in the late summer or early fall. Thus, well production is not expected to noticeably change along the ditch. Further, homeowners near Clear Creek likely have access to groundwater that is directly influenced by the creek itself. This will provide a relatively high quality source of water for domestic use. Centerville CSD has also indicated that they may be able to supply potable water to residences near Honeybee Road, offering another source of water for nearby residences. However, homeowners will likely be required to pay for water delivery, similar to other customers of Centerville CSD. Paying for water service is not considered a significant impact. The reduction in groundwater had not been identified as a significant impact. Water rights claims resulting from the Proposed Project are outside of the scope of this document.
- 32-3 For information regarding measures to take to avoid reductions in water levels at your water ski pond, please see Response 4-7. For information regarding sulfate concentrations, please see Response 2-7. The specific pond that the commentor is referring to is very close to Clear Creek and is likely be subject to some flushing flows of the creek. Further, preliminary comparisons of relative elevations indicate that the pond may be able to take water from the ACID Canal via a gravity diversion, although further review would be required.

07/18/00 TUE 05:36 FAX 5302224958

NORTH STATE RESOURCES

005

John R. Williams
4130 Quartz Ct.
Redding, CA 96001

- 32-4 { The dream of my wife and myself to build a residence overlooking our ski lake will probably be dashed since the lake will lose its aesthetic appeal.

In the short time I have had to study the Joint Environmental Assessment /Initial Study Public Draft, I have found many errors and omissions.

In particular I have concerns about the following:

- 32-5 { 1. There is a strong possibility that mercury contamination will be far worse than anticipated in the sediment at the dam site.
- 32-6 { 2. I feel that the cost estimates for alternate 1, which is to replace the existing dam with a new low-head diversion dam upstream with a canal and/or pipeline to convey water to the existing diversion headwork's, is an extremely overinflated cost estimate. With the experiences I have had as a general engineering contractor, I know that this can be accomplished in many ways for a lot less money.
- 32-7 { 3. I disagree with the statement that instream flows to the lower 6 miles of the creek will be of any significance with removal of the dam and ditch. Currently most of the water that leaks from the ditch returns to the creek through the gravel strata.
- 32-8 { 4. I disagree with the statement that Sediment transport process is interrupted at Saultzer Dam. The lake behind the dam is a dead lake, and entirely filled in with 25,000 cu. yds. of sediment as per the report. Given this condition any further gravel, sediment etc. that flows down the creek will be washed over the dam.
- 32-9 { 5. I feel the vegetation along the ditch will be greatly affected by the loss of ground water.
- 32-10 { 6. I feel that the habitat for many animals will be affected by the drying out of ponds. Particularly the river otter which currently use these ponds.
- 32-11 { 7. Currently the process of removing gravel by the various gravel companies has little effect on the ground water because the areas of removal are recharged by leakage from the ditch. With the elimination of the ditch the thousands of yards of gravel that are removed by the gravel companies will further lower the remaining ground water table. Look at it like this:

Letter from John R. Williams Continued

- 32-4 As noted previously, the decrease in groundwater levels is not anticipated to result in a change in land use. However, landowners may need to take a more active role in the management and collection of water on their individual properties.
- 32-5 Final results from the mercury sampling effort indicate that mercury at the dam site is well within manageable levels.
- 32-6 As noted in Chapter 2, the establishment of engineering cost estimates led to the current agreement between Reclamation, CDFG, and TFWDC.

The TFWDC has decided to exchange their existing pre-1914 water right for 6,000 acre-feet of substitute CVP water to be used through existing CVP facilities at other locations within Shasta County. Since the TFWDC has elected to move the place of use of their water right, there is no longer a need to spend public funds to maintain a water diversion that will no longer exist.

- 32-7 Please see Table 3-5 of the EA/IS for assumptions used for evaporation in ponds and phreatophyte evapotranspiration. Diversions into the ditch also affect timing, temperature, and water quality of groundwater return flows.
- 32-8 Sediment transport occurs at various flows, often varying along a stream as gradient, geology, and width change. At Saeltzer Dam, the reservoir forms a wide, slow point in the river, causing sediments to deposit. The commentor is accurate in noting that net sediment transport is probably in equilibrium – input to the reservoir roughly equals output. However, equilibrium is likely achieved during high flushing flows, when sediment can be pushed over the dam. During lower flows, sediments are more likely to collect behind the dam. Removing the dam would allow for greater sediment transport at lower flows, resulting in a more steady flow of sediments through the basin.
- 32-9 As described in Section 3.1.2 Vegetation, the project would not impact any “special-status” plant species. The composition of plant species along the ditch is expected to change in some locations after water deliveries through the ditch cease. Because the ditch itself is an unnatural feature on the landscape, water seepage from the ditch has created favorable conditions for herbaceous and woody riparian plant species to grow in an area previously dominated by upland species. A more detailed discussion of anticipated changes to the plant community along the ditch is provided in Section 3.1.2.2. The project will result in changes to the plant community. In some locations permanent wetlands will become seasonal in nature, and some areas that currently support riparian species may trend towards upland species depending on site-specific conditions. In general, the area along the ditch will trend towards more natural plant communities over the long term. These changes are not considered to be significant adverse impacts. In addition, increased flows downstream of Saeltzer Dam will create favorable conditions for creation of additional riparian and wetland habitats that will be beneficial to fish and wildlife species.

Letter from John R. Williams Continued

- 32-10 Restoration of salmon and steelhead populations to the 10 miles of stream habitat upstream of Saeltzer Dam will greatly benefit river otters. Increased flows to lower Clear Creek will benefit salmonid species which, in turn, will provide a valuable food source for otters that reside along the creek. In addition, the existing ponds will still provide seasonal habitat that will be available to river otter.
- 32-11 Localized groundwater levels are affected by actions taken in the area, including well operations, mining, and ditch operations. The groundwater analysis considered the effects of the project based on a general water budget. Therefore, changes in operations would not affect the water budget. The commentor's example is valid, with one notable exception. The groundwater basin is not a closed "bowl." Instead, it leaks from the sides – if water decreases in a portion of the basin, water from near by will flow into the basin. In this respect, a sieve in a larger tub of water, instead of an impervious bowl, more accurately describes the example. If water levels in the sieve decrease, water from the tub will flow into the sieve, and vice versa. The influence of the surrounding areas was not included in the groundwater analysis, resulting in a conservative estimate of groundwater impacts. Also, the groundwater analysis used current conditions for assessment of impacts. Future mining activities, and their influence on groundwater, are considered speculative and are beyond the scope of this document.

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07/18/00 TUE 05:36 FAX 5302224958

NORTH STATE RESOURCES

006

John R. Williams
4130 Quartz Ct.
Redding, CA 96001

- 32-11 { Take a bowl and fill it with gravel and then fill it with water. The ground
cont'd { water level will be at the top of the bowl. Now remove the gravel. The
bowl will probably be 1/3 full! This has not been considered.
- 32-12 { 8. I disagree with the statement that the ditch conveys water from May to
October. From my observations, the ditch has been full of water 365 days
a year.
- 32-13 { 9. The following statement in the report says: 3.2.3 ENVIRONMENTAL
CONSEQUENCES "Impacts to surface water and water quality would be
considered significant if they would result in any one of the following: #3.
Substantially deplete groundwater supplies or interfere substantially with
groundwater recharge such that there would be a net deficit in aquifer
volume or a lowering of the local groundwater table level (e.g., the
production rate of pre-existing nearby wells would drop to a level which
would not support existing land uses or planned uses for which permits
have been granted"
- I can confidently say that our water well will dry out and we will have
severe problems with our current land use, lake, etc.
- 32-14 { 10. The report states that we could get water from ACID, or by drilling wells.
This will not work. ACID is down grade from us and there is no
conveyance or easements to transport the water. Historically wells drilled
in the area produce salt or sulfur water.
- 32-15 { 11. The last sentence on page 3-25 states that "the project's impacts on land
use dependent on groundwater is therefore less than significant." This is
not correct. The impacts on us and I am sure also on others, will be
severe.
- 32-16 { 12. Air quality for the entire 6 miles below the dam could be a problem because
of the sulfur in the water. This could cause objectionable odors. This has
not been addressed.
- 32-17 { 13. The report has identified Steiner's Water Ski School. Our facility has
apparently been overlooked.
- 32-18 { 14. Page 3-55 3.12.3 MITIGATION The report states "Because no
significant impacts are anticipated, no mitigation is required." I do not feel
that this is a true or correct statement, and feel that mitigation will be
required.

Letter from John R. Williams Continued

32-12 Records provided by the TFWDC indicate that the ditch does convey water year-round as follows:

- November 1 through April 30 – 4.5 cfs
- May 1 through June 30 -- 28 cfs
- July 1 through August 31 – 32 cfs
- September 1 through October 31 – 28 cfs

These assumptions were used to develop the analysis presented for groundwater resources. However, the low flows November through April indicate that the ditch gate is likely closed and that flow in the ditch may be a result of rain, groundwater discharge, or a leaky gate. Flow in the ditch between November and April is not used for irrigation.

32-13 It is extremely unlikely that the maximum groundwater drop of 6.5 feet will cause wells to go dry. The 6.5 feet is likely within the normal variation currently experienced by well operators. Further, as noted in the EA/IS, winter hydrology is anticipated to refill the groundwater basin in most years, maintaining fairly stable inter-annual water levels in the basin.

32-14 Please see Response 32-3.

32-15 Please see Responses 32-1 and 32-14.

32-16 Air quality will not be affected by sulfur in groundwater. Sulfur in groundwater well water is likely reduced under certain conditions, resulting in the release of H_2S , which causes an unpleasant odor. The source of the H_2S is likely deeper geologic formations, where anaerobic (no oxygen) conditions lead to the formation of H_2S , that is detectable in well water. Other commentors noted that deep wells tend to be undesirable because of the presence of sulfur. The commentor hypothesizes that the elimination of ditch water will cause concentrations of sulfur to increase in groundwater discharge (i.e., ponds), and the increased concentrations will have undesirable odor. The hypothetical condition noted by the commentor would be precluded by two factors:

(1) Ditch water has only a limited interface with the deeper geologic formations. Ditch water has more influence on shallow groundwater, which is unlikely to be influenced by geologic formations that could cause formation of H_2S .

(2) Ponds and other groundwater discharge regions are predominantly aerobic environments (oxygen is available), precluding formation of H_2S . Thus, large amounts of sulfur would not be released by the cessation of ditch water because the chemical process that releases H_2S occurs in an anaerobic environment.

Therefore, large emissions of H_2S will not occur following implementation of the project.

Letter from John R. Williams Continued

- 32-17 The commentor's facility was not specifically mentioned in the EA/IS because of the location of the pond. The commentor's facility is south of Clear Creek Road, near Clear Creek. This location is likely to experience the least change in groundwater elevations because of its distance from the ditch. However, without a detailed evaluation of groundwater resources in the immediate vicinity of the property, it is impossible to provide an estimate of the change in groundwater levels. For this reason, 6.5 feet is considered a conservative estimate of groundwater impacts. Even with this conservative estimate, impacts are considered less than significant.
- 32-18 If substantial evidence is presented outlining the need to reevaluate impacts of the project, the impact statements will be changed accordingly. To date, no such evidence has been presented; therefore, the impact statements stand with the revisions noted in Table 2-1 of this document.

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07/18/00 TUE 05:37 FAX 5302224958

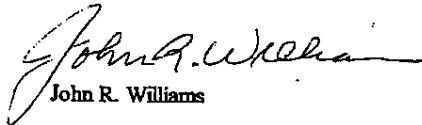
NORTH STATE RESOURCES

007

John R. Williams
4130 Quartz Ct.
Redding, CA 96001

Please give me some serious consideration. I am not against this project, but feel that some mitigation will be required to keep my property whole. I'm sure something can and should be done.

Sincerely


John R. Williams

Letter from John R. Williams Continued

07/18/00 TUE 05:37 FAX 5302224958
JUL-14-00 10:03 From:KMTG-BKSFLD

NORTH STATE RESOURCES
8618643810

T-635 P.02/06 Job-852

STANLEY W. KACOVIC
EDWARD J. TIEDEMANN
FREDERICK C. CHURCH
LYND HINCHMAN
CLIFFORD W. SCHULZ
ROBERT E. MURPHY
ROBERT A. SCHULZ
JAMES M. BOYD, JR.
JAMES E. CHRISTENSEN
SCOTT L. STEWART
WILLIAM A. KIRKWAY
ROBERT A. BURNSTON
RUTHANN G. ZIMMER
PAUL W. TIGER
DONALD W. FITZGERALD
THOMAS C. THOMAS, III
MICHAEL A. GROSS
P. ANDREW COVERT

THOMAS W. BURNSTON
JAN E. DANESE
ANN M. MURRAY
PHILIP A. WISDOM
DOUGLASS S. LANDSMAN
ANN M. BOWEN
JAMES R. WHEEL
JONATHAN P. CROTTY
MICHAEL R. DEAN
ERIC R. VASQUEZ
LEE W. COOK
BRIAN A. SCHWAB

BARBARA J. PENCE
ANTHONY B. MANGIAROTTI
WILLIAM T. CHURCH
JEREMY A. MITCHELL

**KRONICK
MOSKOVITZ
TIEDEMANN
& GIRARD**
A PROFESSIONAL CORPORATION

July 14, 2000

33
DONNA M. MATTER
RUSAN E. DINGUS
THOMAS W. BARTH

STACY L. SASTA
MARTIN L. JACOB
CYNTHIA L. KINGTON
GREGORY T. LYALL
BYE E. FEE
SCOTT A. MORRIS
KOURTNEY E. COLLINS
STEPHEN J. GREENE, JR.
SHELLEY L. LONGADE
CATRY L. SMITH HOLMES
JONATHAN E. KIRBY
JONATHAN E. HOBBS
ANIELA T. MIRABOSOGARAI

JESSE FORT TERRY, IV
JON D. RUBIN
STEPHEN CHILCOTT
KAREN NAGAL
HOWARD R. WILKINS, III
KRYSTIN C. CASTLE
LOUIE E. CRISWOLD

OF COUNSEL

CHARLES A. BABBITT
ROBERT M. FRIEDMAN (ATTORNEY)

ADOLPH MOSKOVITZ (1922-1992)
E. RONNELL DAVIS (1900-1977)
DOROTHY J. FREE (1912-1991)

VIA FACSIMILE AND MAIL (530) 225-2381

Mr. Don Koch
Regional Manager
California Department of Fish & Game
601 Locust Street
Redding, California 96001

Re: Draft Joint Environmental Assessment/Initial Study for the Sactler Dam
Fish Passage and Flow Protection Project

Dear Mr. Koch:

These comments on the Joint Environmental Assessment/Initial Study for the Sactler Dam Fish Passage and Flow Protection Project ("Draft EA/IS") are submitted on behalf of Westlands Water District ("Westlands"). The proposed project would remove Sactler Dam and exchange six thousand acre-feet of water from the Townsend Flat Water Ditch Company's ("Townsend") point of diversion at Sactler Dam to Central Valley Project ("CVP") facilities and service areas primarily within Shasta County.

Westlands is a California water district with a contractual right to receive up to 1,150,000 acre-feet of CVP water from the United States Bureau of Reclamation ("Reclamation"). Westlands provides CVP water for municipal and industrial uses and for the irrigation of approximately 600,000 acres on the west side of the San Joaquin Valley in Fresno and Kings Counties. Water provided by Reclamation to Westlands is appropriated from the Delta pursuant to Water Right Decisions 893, 990, and 1020. These decisions provide that the right to the beneficial use of water for irrigation purposes shall be appurtenant to the land on which that water is applied and the right to the beneficial use of water for irrigation purposes

ATTORNEYS AT LAW
400 CAPITOL MALL, 27TH FLOOR SACRAMENTO, CALIFORNIA 95814-4416 TELEPHONE (916) 321-4500 FAX (916) 321-4555

Letter from Kronick, Moskovitz, Tiedemann, & Girard Dated July 14, 2000

07/18/00 TUE 05:38 FAX 5302224958
JUL-14-00 18:03 From:KMTG-BKSFLD

NORTH STATE RESOURCES
8618643810

T-635 P.03/06 Job-852 010

Mr. Don Koch
Regional Manager
July 14, 2000
Page 2

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33-1

shall, consistent with the terms of the decisions, continue in perpetuity. Westlands maintains the authority to protect, on behalf of its landowners and water users, this right. The project as described in the Draft EA/IS will affect the operations of the CVP, and thus, the amount of water landowners and water users within Westlands could put to beneficial use.

Section 1.2 of the EA/IS identifies the purpose and need of the proposed project. The purpose is to provide fish passage over the major migration impediment to salmon habitat in the lower reach of Clear Creek and protect instream flows, while maintaining water supply to the shareholders of Townsend. According to the Draft EA/IS, the need for the proposed project "has been documented since the 1950's when it was recognized that Saeltzler Dam was impairing access to upstream salmonid habitat." (p.1-4.)

The Draft EA/IS cites Section 3406(b)(12) of the Central Valley Project Improvement Act ("CVPIA") as justification for the project. Section 3406(b)(12) provides for the Secretary of the Department of the Interior ("Secretary") to:

develop and implement a comprehensive program to provide flows to allow sufficient spawning, incubation, rearing, and outmigration for salmon and steelhead from Whiskeytown Dam as determined by instream flow studies conducted by the California Department of Fish and Game after Clear Creek has been restored and a new fish ladder has been constructed at the McCormick-Saeltzler Dam. Costs associated with channel restoration, passage improvements, and fish ladder construction required by this paragraph shall be allocated 50 percent to the United States as a nonreimbursable expenditure and 50 percent to the State of California. Costs associated with providing the flows required by this paragraph shall be allocated among project purposes. (Emphasis added.)

33-2

The draft EA/IS cites this section of CVPIA as justifying the removal of Saeltzler Dam. While Westlands is not opposed to the removal of Saeltzler Dam, if it is the best alternative environmentally under both the National Environmental Policy Act and the California Environmental Quality Act, the cited section of CVPIA does not support the argument that federal law requires removal of the dam.

33-3

Section 3406(b)(12) of the CVPIA intends the costs of installing a fish ladder to be split equally between the state and federal governments. However, the agreement between the Reclamation and Townsend provides for the costs of the removal of Saeltzler Dam and its headworks to be borne solely by Reclamation. Reclamation is also required to pay the total costs

Letter from Kronick, Moskovitz, Tiedemann, & Girard Continued

- 33-1 The project will not result in a change to the availability of water for CVP customers. Instead, water that is currently delivered under a pre-1914 water right will be exchanged for water delivered elsewhere in the county. Flows in Clear Creek will remain unchanged, but they will be formalized through a separate agreement. Any additional flows above those newly formalized will be made with waters made available under Section 3406 (b)(2) of the CVPIA. In fact, implementation of this project is considered a step towards improving conditions for salmonids listed under the ESA and, as such, is an incremental step towards improving environmental conditions in the Delta, potentially increasing the ability to divert water from the Delta for CVP contractors south of the Delta.
- 33-2 While Section 3406 (b)(12) may not support the removal of Saeltzler Dam, the intent of the law is clearly to provide improved fish passage through the site. Although construction of fish ladder would satisfy the letter of the law, it does not provide the best solution to improving fish passage through the site. Given the poor condition of the existing dam, and desire of TFWDC to exchange their existing water right, construction of a fish ladder is no longer a prudent alternative.
- 33-3 Cost share arrangements for the measures outlined in Section 3406(b)(12) are beyond the scope of the EA/IS. Cost sharing is often a complicated administrative arrangement that includes separate shares for separate aspects of restoration efforts. Occasionally, cost-sharing arrangements must be altered or amended to comply with applicable laws. The lead agencies intend to comply with their cost-sharing responsibilities.

07/18/00 TUE 05:38 FAX 5302224958
JUL-14-00 18:04 From:KMTG-BKSFLD

NORTH STATE RESOURCES
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Mr. Don Koch
Regional Manager
July 14, 2000
Page 3

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33-3
cont'd

incurred in preparing all state and federal environmental documents to complete the proposed project.

As stated in the Draft EA/IS in Section 1.2.4, the removal of Saeltzler Dam is recognized by the CALFED Bay-Delta Program as a means for obtaining the goal for ecosystem quality improvement and increasing aquatic and terrestrial habitats and improving the ecological functions in the Bay-Delta. Removal of Saeltzler Dam is also identified in the CALFED Framework for Action Agreement released on June 9, 2000 as part of the ecosystem restoration program. According to the Framework for Action, local interests are to participate in implementing the actions with funding shared by CALFED and the local interests. However, the EA/IS does not identify any costs to be assumed by CALFED. The lack of this information only highlights the need for developing a CALFED cost-sharing agreement with the state.

33-4

A key element of the proposed project is the water exchange between Reclamation and Townsend. Townsend has a pre-1914 water right to divert up to fifty-five cfs of the natural flow of Clear Creek. In 1960, Reclamation and Townsend entered into an agreement where Reclamation agreed not to interfere with Townsend's water right diversion. Reclamation has now entered into an agreement with the shareholders of Townsend to modify their existing water right in exchange for six thousand acre-feet of substitute CVP water for use within Shasta County.

Under CVPIA Section 3404(a), the Secretary is prohibited from entering into any new contracts or agreements for water supply from the CVP unless it is for the purpose of fish and wildlife. The exchange to Townsend of six thousand acre-feet is not for fish and wildlife purposes. The exchange to Townsend of six thousand acre-feet is to replace a water supply for consumptive use. The Secretary has no authority to enter into this exchange agreement until the requirements of CVPIA Section 3404(a)(1) and (2) are met.

33-5

The draft EA/IS states other alternatives were considered to removal of Saeltzler Dam and were found to be too costly. The Draft EA/IS identifies a cost of \$3,800,000 in removing the existing dam and constructing a new dam at the same location with a fishway through the new dam and a cost of \$1,500,000 for constructing a new fishway around the south side of the existing dam. (Draft EA/IS p. 2-3) However, it is difficult to understand how Alternatives 2 and 3 were rejected as too costly although they are less expensive than the costs Reclamation is incurring under the agreement with Townsend. The costs for removal of Saeltzler Dam are currently estimated at \$1,250,000, and Reclamation is to pay Townsend \$2,500,000 in exchange for Townsend's release of its contractual interest in the 1960 settlement agreement. This 3.75 million dollars does not include the cost of providing the six thousand acre feet of settlement water to Townsend nor the costs of preparing the environmental documentation. In

Letter from Kronick, Moskovitz, Tiedemann, & Girard Continued

- 33-4 The legal merits of the agreement between Reclamation , CDFG, and TFWDC are beyond the scope of a NEPA/CEQA analysis. For the purposes of the EA/IS, it is assumed that the agreement is valid under all applicable laws.
- 33-5 As noted on page 2-3 of the EA/IS, the alternatives cited by the commentor were not eliminated based solely on relative cost. Instead, they were eliminated after considering costs, impacts, value of the beneficial use of diversions, and relative improvements to fish passage.

07/18/00 TUE 05:39 FAX 5302224958
JUL-14-00 18:04 From:KMTG-BKSFLD

NORTH STATE RESOURCES
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Mr. Don Koch
Regional Manager
July 14, 2000
Page 4

2010.4

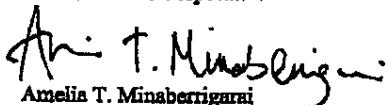
33-5
cont'd

pursuing the proposed project, Reclamation will be incurring and passing onto its water users significant costs. These cost should be split equally between the state and federal government as provided for in CVPIA Section 3406(b)(12).

Your consideration of these comments is appreciated.

Very truly yours,

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
A Professional Corporation


Amelia T. Minaberrigarai
Attorneys For Westlands Water District

ATM/gr

cc: Mr. Dave Orth
616125.1

Letter from Kronick, Moskovitz, Tiedemann, & Girard Continued

Jul 19 00 08:38a

MP-700 Div of Planning

(916) 978-5094

p.2

Mona Jefferies-Soniea - David Swarts

Page 1

From: Dave & Holli Swarts <gravelman@snowcrest.net>
To: <mjefferiessoniea@mp.usbr.gov>
Date: 7/18/00 7:18PM
Subject: David Swarts

34

34-1

Hi, David Swarts here, wanting to know if there are any alternatives to getting water to my gravel plant site and my pasture directly south of gravel plant site where I have a livestock business, other than those alternatives at the public meeting. Pumping from a well or ACID.. Would this water be free of charge from ACID. Or would the State or Federal Government or McConnell foundation pay for the water? My project

34-2

is directly east and south of Steiner Lake. It is approx. three times the size of Steiner Lake about seventy five acres. In order to complete the E.I.R. in a timely manner my project will need to be addressed. Also I have a reclamation plan on file with the City of Redding for the gravel operation. And a drop in the water level would possibly alter that plan. I feel if the reclamation plan needs to be amended, the State Of Cal. Or Feds. should fund it. The reclamation plan can be viewed any time. And any comment or concerns can be directed to the above e-mail or sent U.S. mail or by telephone. David W. or Holli A Swarts. 2000 Revocable Living Trust. 18041 Clear Creek Rd. Redding Ca. 96001. 530-241-9125

Thanks DWS

Letter from David W. Swarts Dated July 18, 2000

- 34-1 Water provided to landowners from ACID would be subject to the normal rate structure ACID charges to the rest of its customers. The lead agencies do not have plans to pay for water delivered to landowners from ACID or other water purveyors in the area.
- 34-2 Please see Response 30-2.

35

June 25, 2000

California Department of Fish and Game
Attn: Don Koch, Regional Manager
601 Locust Street
Redding, CA 96001

Dear Mr. Koch;

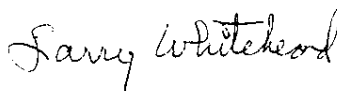
35-1 {

I have reviewed the Joint Environmental Assessment/Initial Study for the Saeltzler Dam Fish Passage and Flow Protection Project dated June 2000. I also attended the public meetings which were held on April 25, 2000 at Grant School by CRMP and the meeting held on June 22, 2000 at the Red Lion Inn by the U.S. Bureau of Reclamation. I fully support the project to remove Saeltzler Dam and restore the salmon habitat in the lower reach of Clear Creek. I further fully support the intent to adopt a negative declaration in accordance with CEQA Guidelines and move this project forward.

It is in the best interest of the State of California to complete this project and restore Clear Creek to it's natural state as soon as possible. I would like to see this completed before the end of this year (December 2000). I live in the Centerville area and this project to restore Clear Creek is in the best interest of our community as well as all of Shasta County.

Anything you and your staff can do to insure this project is completed this year will be appreciated.

Sincerely,



Larry Whitehead
15661 Prospect Drive
Redding, CA 96001

(530) 246-8558

Letter from Larry Whitehead Dated June 25, 2000

35-1 Thank you for your comment. No response is necessary.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION

P.O. BOX 496073
REDDING, CA 96049-6073
PHONE (530) 225-3369
FAX (530) 225-3271

36



IGR/CEQA Review
Sha-273-11.246
Saeltzer Dam Reconstruction
SCH# 2000062054

June 30, 2000

Mr. Harry Rectenwald
California Department of
Fish and Game
601 Locust Street
Redding, CA 96001

Dear Mr. Rectenwald:

Caltrans District 2 has completed review of the Negative Declaration/FONSI submitted on behalf of your agency, for removal and replacement of Saeltzer Dam on Clear Creek.

36-1 { Based on the project information submitted, approval of this project will not adversely impact facilities under our jurisdiction; therefore, we have no comment.

Thank you for providing us the opportunity to review this project. If you have any questions, or if the scope of this project changes, please call me at 225-3369.

Sincerely,

for ANDREA REDAMONTI
Local Development Review
District 2

RECEIVED

JUL - 5 2000

Dept. of F&G Region

Letter from Department of Transportation Dated June 30, 2000

36-1 Thank you for your comment. No response is necessary.

37

Federal Bureau of Reclamation
11075 Black Marble Way
Redding, Ca 96001

Attn: Mr. Bufford Holt

Regarding: Townsend Flat Irrigation Ditch

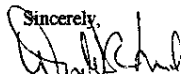
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RECEIVED	
JUL 17 '00	
BUREAU OF RECLAMATION	
WASHINGTON, D.C. 20260	
CASE #	
340	BR 7/17/00
100	MB 7/17
300	RPS 7/16
FILES	

- 37-1 { After our telephone conversation, it appears the Townsend Flat ditch will be closed this September by either the Bureau or the McConnell Foundation. I am confused as to who is doing what and whose responsibility it will be. As I described in our conversation, I have many concerns with the closure and the effect it will have on the entire area. There certainly is potential for loss of what few producing wells are in the area and the drying up of the ponds and its effect on the environment.
- 37-2 {
- 37-3 { You stated you are not a hydrologist and was working from "hear say" information about the effect of closing the ditch on the area water plain. To speculate with such an important issue is uncommon to say the least. What exactly is going on? Why were not the landowners adjacent to the ditch officially notified of the "public meetings"? Many of us were unaware of these meetings and have not had the opportunity to take a legitimate part in these proceedings. What is the big hurry to ramrod this through? What "IS" the Bureau's official role in these matters. Where are the environmental impact statements? Why not continue the waterway as a viable water source for the local area, its inhabitants and the environment. Why do I have to ask these questions now at this late hour?

I am anticipating an answer to these and other related issues regarding the ditch closure and I have done You and the Bureau the courtesy of prior knowledge before you get the same questions from the elected officials I have asked for help in this matter. I have also included a copy of a letter addressed to the McConnell Foundation regarding these issues.

I am very displeased with the manner this project has been handled and the failure of the Agencies involved to keep the public and landowners involved.

Sincerely,


Donald R. Lamb
7508 Honeybee Rd.
Redding, CA 96001

Letter from Donald R. Lamb Undated

- 37-1 Currently, plans call for the ditch to be closed immediately prior to removing the dam. The act of closing the ditch would be undertaken by Reclamation after the agreement between Reclamation, CDFG, and TFWDC is signed.
- 37-2 As noted in the EA/IS, implementation of the project is expected to reduce groundwater levels by as much as 6.5 feet. The low production rate of existing wells is most likely more a result of the fractured nature of the geology than the influence of the ditch.
- 37-3 Qualified professionals in a number of fields prepared information provided in the EA/IS. The EA/IS specifically avoids speculation regarding impacts to resources. In fact, in many cases, impacts are estimated on a conservative basis, to avoid understating potential impacts. This is the case for groundwater, where actual impacts are expected to be less, but a conservative approach estimates that impacts may be as great as 6.5 feet.

Mc Connell Foundation
800 Shasta View Dr,
Redding, Ca 96002

July 9, 2000

Regarding : Townsend Flat Irrigation Ditch

Dear Sir or Madam,

My vision of the McConnell Foundation has been a very favorable one particularly in light of all the positive things the Foundation has done for our community. I am now dealing in an issue, which is contrary to the benefit of many of the inhabitants in the Clear Creek area, particularly the Townsend Flat irrigation ditch area.

Mr. Richard Gore and other members of the irrigation district allowed all of the residents along the ditch to use the water for domestic use and every one was well aware of this use for many years. He also allowed our family the use of a 2-inch line to keep our pond filled for irrigating a eucalyptus orchard on our property. I realize these are all prescriptive uses and perhaps there is no legal way to lay claim to any adjudicated rights to the water but it could be an interesting legal contest to say the least. Our livestock and our predecessor's livestock have used this ditch source for drinking for more than 40 years.

Since Mr. Gore's demise and subsequent donation of his properties to the Foundation there have been many rumors regarding the closure and eradication of the ditch and now we hear it is going to happen as early as September of this year. News articles indicate the Foundation is selling the irrigation district to the Bureau of Reclamation for over two million dollars. I am sure Mr. Gore would be seriously pursuing not closing the ditch, but in fact, would be looking for ways to improve its value to the community. We had many discussions along these lines over coffee and while searching the brush for each other's livestock.

This irrigation district has provided a source of recreational, industrial and domestic use for the inhabitants along its banks. This area has very little potable water in its wells and the ditch has provided a supplemental and in some cases the only domestic source of potable water for some of the individuals. Some of the individual are on very low fixed incomes and can not afford to purchase domestic water or have new wells drilled. New wells in most cases will not provide useable water anyway so if they could afford these wells they may not be productive.

My last but by no means least issue with closing the ditch is the environmental impact to nature and the critters which live in the area and the environment this waterway has created in its nearly 100 years of existence. The supposed basis for all of this is to eliminate the dam which transitions the water to the ditch to provide better spawning grounds for salmon which I'm sure is a worthy cause and will help that part of our environment. Ah, but the cost, what of the millions of fish which live in the ditch now, the frogs, the muskrats, the beaver and the land animals such as deer, fox and bobcat. What of the birds, this is a major fly way and nesting for many ducks (especially wood ducks), hawks, quail, turkey and again the list of species could go on forever.

These are a few of the emotional issues, which all of the inhabitants of the area are feeling and they are real.

Now lets get to the issues which I would appreciate an answer:

1. Why weren't the residents (taxpayers) along the ditch formally notified of the "Public Hearings" regarding these issues and the proposed closure of the ditch?
2. Where is the environmental impact statement regarding the closure of the ditch and the entire Clear Creek Seltzer Dam removal?
3. What is the role of the Bureau of Reclamation and why are they purchasing a water ditch system which is being abandoned and will become useless?
4. What is the role of the California Fish and Game in all of this and what are their concerns for the effect on the other fish and game along this ditch's banks?

Attachment to Letter from Donald R. Lamb Undated

5. Why aren't there some positive plans to deal with the issues such as providing an alternate source of domestic water to the local residents through the Centerville Water Districts system? (I'm sure the \$2 million would more than cover the cost).
6. What happened to the plan to simply move the intake upstream and continue the irrigation source?
7. Why can't this system be improved to provide a real water district to the Clear Creek area? There are many new industrial developments which could benefit significantly from a good source of water and this will help this development and increase the tax base for all of Shasta County. Much of the land could be further developed for agricultural purposes if such a system existed. The current ditch usage has never exceeded 55% of the allocation so the water is available. Make a real usage district as it were.
8. What are the plans for physically closing the ditch and removing it from existence, how will you treat my land in this process and what are your plans for mitigating the damage you will cause as you close the ditch?

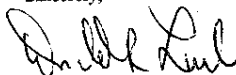
I understand and am sympathetic with the Foundation's desire to rid itself of the possible liabilities connected with the ditch and the dam. I also understand the "apparent gifting of \$2 million +" and the Foundation's potential for use of this money. The issues I can't understand is the apparent process to ram this project through without proper investigation and concern for the real issues.

Why isn't the McConnell Foundation taking a positive role in a community project and working towards a beneficial solution to these issues and a more beneficial result for the entire community. This could be done by:

1. Support and assist in providing a domestic water system for the inhabitants of the area.
2. Support a program to keep the ditch "ALIVE" as a part of the Bureau of Reclamation and enhance the use to more individuals and businesses along the Clear Creek Road/Creek area.

I first wrote Mr. Alred (McConnell Foundation council) regarding our concerns in these matters some two to three years ago with no return response. I sincerely hope you will give us the courtesy of a response this time. I appreciate any effort on your part to respond to our concerns. Thank you.

Sincerely,



Donald R. Lamb
7508 Honeybee Rd
Redding, Ca 96001
(530) 244-0316

cc: Federal Bureau of Reclamation
California State Department of Fish and Game
Rep Wally Herger
Senator Dianne Feinstein
State Assemblyman Dick Dickerson
State Senator Maurice Johannesson
Irwin Fust, Shasta County Board of Supervisors
Hutchins Paving and engineering
Bill Davis
Dave Justice
Redding Searchlight

Attachment to Letter from Donald R. Lamb Continued

38

**Sealtzer Dam Public Meeting
June 22, 2000
Redding, CA**

MEETING FLIPCHART NOTES

- | | | | |
|-------|--|--|---------|
| 38-1 | { Regarding the seepage from the ditch —
Do we know the amount of seepage? What are the impacts to the loss of the seepage from the ditch on wildlife, economics, recreation and wells? | | |
| 38-2 | { Without the continued water coming from the ditch, there is concern that the estimated minimum drawdown of 6.5 feet would be more. | | |
| 38-3 | { Landowners would like to be kept whole. | Sediments — BLM guidelines enhance recreational benefits of lands. | } 38-14 |
| 38-4 | { Third party impacts of dewatering ditch need to be considered. | Information availability | } 38-15 |
| 38-5 | { Water quality | Stability buttress — | |
| 38-6 | { Long-term impacts to groundwater. | What duration? | } 38-16 |
| | | When removed (timing)? | |
| 38-7 | { Recreational impacts. | Clarification of cfs vs. acre-feet | } 38-17 |
| 38-8 | { Why a fast tract for the project. | Legal entitlements to ditch water | } 38-18 |
| 38-9 | { Esthetic impacts from stagnate ponds. | Why taking so long? | } 38-19 |
| 38-10 | { Inaccessible acid water | Mosquito abatement | } 38-20 |
| 38-11 | { Inaccessible groundwater | Wetlands impact | } 38-21 |
| 38-12 | { Changes of wells seasonally water to creek level changes. | ESA | } 38-22 |
| | | Fish are valuable resources | } 38-23 |
| 38-13 | { Minimum flows for Clear Creek — 200 cfs (AFRP). | All public agencies should have public meetings. | } 38-24 |

Letter from Saeltzer Dam Public Meeting Dated June 22, 2000

- 38-1 Seepage from the ditch and the resultant effect on groundwater was addressed in the EA/IS in Section 3.2.2, Groundwater. Additional information pertaining to subsequent impacts on wildlife and recreation was presented in Section 3.1, Biological Resources, and Section 3.8, Land Use and Policies. For biological resources, the cessation of ditch water is expected to return the ditch to a more natural, seasonal state, representative of natural mesic communities elsewhere in the region. For land use, the reduction in groundwater is not expected to cause a change in existing land use because other areas in the county maintain similar land uses in similar rural settings without the benefit of a ditch. Economic effects were not quantitatively analyzed. Economic effects are expected to be somewhat beneficial due to the construction expenditure associated with the project and the improved fishing in Clear Creek. However, it is acknowledged that additional costs may be incurred by individual landowners for improvements to water supply systems. These additional costs are anticipated to be similar to measures undertaken by other landowners elsewhere in the county.
- 38-2 Please see Section 3.2.2, Groundwater, of the EA/IS.
- 38-3 Comments noted. Landowners who have been using water without a water rights permit will not be compensated for the loss of water. Resultant hydrologic conditions following implementation of the project are anticipated to be less than significant.
- 38-4 The groundwater analysis considered impacts to third parties. Please see response 38-1.
- 38-5 Concerns were raised regarding the project's impact on water quality, specifically given reports of saline and sulfur water in deep groundwater wells. These concerns were treated as new information and resulted in additional research and consideration. First, however, it should be noted that individual well characteristics may vary considerably. It is acknowledged that deep wells drilled into bedrock formations, may have relatively low yields compared to alluvial aquifers due to the fractured nature of the deeper formations. Further, these deep formations may have elevated levels of salts and sulfur due to naturally occurring elements in the rocks. However, the shallow groundwater that is most influenced by the ditch has a low mixing potential with the deeper, fractured aquifers of the bedrock formations. These conditions are similar to groundwater conditions elsewhere in the county. In summary, the cessation of the ditch is not expected to have a noticeable influence on water quality in the deeper formations because of the poor mixing potential between the two formations.
- 38-6 As noted in Section 3.2.2, Groundwater, the basin is expected to re-fill every winter, resulting in stable groundwater levels on a year-to-year basis. However, cessation of ditch flows is anticipated to increase seasonal variability because recharge from the ditch will not contribute to groundwater levels into the late-summer, early fall.

Letter from Saeltzer Dam Public Meeting Continued

- 38-7 Implementation of the project is anticipated to benefit recreation in the creek. Existing recreation in the pond areas is expected to remain unchanged if land owners implement water management strategies to support pond levels later into the year.
- 38-8 Please see the Summary of Project History and Public involvement prepared as a supplement to information provided in the Public Draft EA/IS.
- 38-9 Aesthetic resources are not expected to be impacted from the project. Typically, visual resources are considered those exceptional scenic viewsheds that are accessible from established sites. Commentors noted that the lowering of pond levels would constitute an impact to visual resources. This would not occur because the views of the ponds are (1) not established sites for viewing scenic vistas or viewsheds – in fact, the gravel mining operations are themselves typically considered negative aesthetic resources, and (2) the ponds are anticipated to be actively managed to maintain water levels, thus eliminating the potential for impacts. Please see Response 2-7 and 32-16 for additional information regarding sulfur.
- 38-10 Annexation to ACID may be feasible for landowners along the eastern portion of the study area. Further, the elevation of the ACID canal may make deliveries to land owners at lower elevations along the creek feasible. Land owners in the western portion of the study area may be able to access potable water supplies from the Centerville CSD.
- 38-11 Groundwater accessibility is anticipated to remain available for landowners in the region.
- 38-12 Please see Response 38-1.
- 38-13 Please see Response 6-2.
- 38-14 Please see Response 6-5.
- 38-15 Please see response 2-14.
- 38-16 Please see Response 6-6.
- 38-17 Measurement in cfs, or cubic feet per second is a rate that determines a volume of water over time. Acre-feet, or a one-acre area covered to a depth of one foot with water, is a volume measurement. Commentors noted that there were some discrepancies relating to the conversion of acre-feet of diversion for Townsend Flat Water Ditch Company and the cfs diversion. Some of the discrepancy may have resulted from the difference between the two measurements. For instance, the maximum capacity of the ditch may allow more acre-feet to be diverted than is currently the practice.
- 38-18 Water rights claims for water from the ditch following implementation of the project should be addressed to the Ditch Company.
- 38-19 Please see the Summary of Project History and Public Involvement.

Letter from Saeltzer Dam Public Meeting Continued

- 38-20 Please see Response 4-6 for a discussion of mosquitoes.
- 38-21 Wetland impacts are presented in Section 3.1, Biological Resources. The EA/IS determined that there are no established wetland communities along the ditch itself. Further, although cessation of the ditch will result in changes to riparian species along the ditch, the species are expected to change to a seasonal wetland representative of natural communities in the region. This change, in conjunction with improved wetland habitat along the creek is expected to result in no net change to wetland habitat in the study area. Please also see Response 4-3.
- 38-22 Please see Response 4-4.
- 38-23 Comment noted. This concept has been incorporated qualitatively into the analysis of recreation impacts presented in Section 3.12.
- 38-24 Comment noted.



Gray Davis
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research
State Clearinghouse

39



Steve Nissen
ACTING DIRECTOR

July 13, 2000

Harry Rectenwald
Fish and Game, Region 1
601 Locust Street
Redding, CA 96001

Subject: Seltzer Dam Fish Passage and Flow Protection Project-EA/IS
SCH#: 2000062054

Dear Harry Rectenwald:

The State Clearinghouse submitted the above named Joint Document to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 12, 2000, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
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DFG-REDDING

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTML

Letter from Governor's Office of Planning and Research Dated July 13, 2000

39-1 Comment noted.

Document Details Report State Clearinghouse Data Base

SCH# 2000062054
Project Title Saeltzler Dam Fish Passage and Flow Protection Project-EA/IS
Lead Agency Fish & Game #1

Type JD Joint Document
Description The Proposed Project Alternative consists of removing Saeltzler Dam, eliminating the water diversion to the Townsend Ditch at Saeltzler Dam, and exchanging 6,000 acre-feet of water through existing CVP facilities to Townsend Flat Water Ditch Company (TFWDC) shareholders. Specific actions consist of improving access roads to Saeltzler Dam, removing the dam and sediment plug upstream of the dam, and restoring access roads and site to natural conditions.

Lead Agency Contact

Name Harry Rectenwald
Agency Fish and Game, Region 1
Phone (530) 225-2368 **Fax**
email
Address 601 Locust Street
City Redding **State** CA **Zip** 96001

Project Location

County Shasta
City Redding
Region
Cross Streets Honeybee Road
Parcel No. 208-21-06
Township 31 **Range** 6 **Section** 36 **Base** MDiablo

Proximity to:

Highways
Airports
Railways
Waterways Lower Clear Creek
Schools
Land Use RA (Rural Residential) - Shasta County General Plan

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Vegetation; Cumulative Effects; Landuse; Growth Inducing; Wildlife; Wetland/Riparian; Water Supply; Water Quality

Reviewing Agencies Resources Agency; Department of Boating and Waterways; Department of Conservation; Department of Fish and Game, Region 1; Office of Historic Preservation; Department of Parks and Recreation; Office of Emergency Services; California Highway Patrol; Caltrans, District 2; Department of Housing and Community Development; State Water Resources Control Board, Division of Water Rights; Regional Water Quality Control Bd., Region 5 (Redding); Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 06/13/2000 **Start of Review** 06/13/2000 **End of Review** 07/12/2000

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter from Governor's Office of Planning and Research Continued

7-10-2000 15:14

RWQC REDDING OFFICE

530 224 4857

P.03



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Steven T. Butler, Chair



Gray Davis
Governor

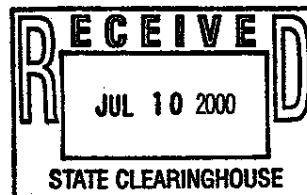
Redding Branch Office

Internet Address: <http://www.swrcb.ca.gov/~rwqcb5>
415 Knollcrest Drive, Suite 100, Redding, California 96002
Phone (530) 224-4845 • FAX (530) 224-4857

10 July 2000

Mr. Harry Rectenwald, E.S. IV
Department of Fish and Game
601 Locust Street
Redding, CA 96001

Clear
7/12/00
e



NEGATIVE DECLARATION, AND INITIAL STUDY/ENVIRONMENTAL ASSESSMENT FOR THE SAELTZER DAM, SCH # 2000062054, CLEAR CREEK, SHASTA COUNTY

We have reviewed the June 2000 *Saeltzer Dam Fish Passage and Flow Protection Project, Joint Environmental Assessment/ Initial Study* prepared by North State Resources, Inc. We have also reviewed the *Finding of No Significant Impact (FONSI)* document prepared by the US Bureau of Reclamation and the *Negative Declaration* document prepared by California Department of Fish and Game.

We have no objections to the project's goals. We also agree in principle with the FONSI and Negative Declaration provided the mercury content of the sediment wedge upstream of the dam is adequately characterized, and any mercury contaminated sediment is handled appropriately.

We are concerned that proposed sediment-sampling methods might not adequately characterize the mercury content of submerged sediments. Difficulty in recovering saturated unconsolidated sediments, especially from the bedrock surface where mercury may be concentrated, may limit the effectiveness of the sampling plan.

The "A" transect was only sampled with the Vibracore equipment down to approximately 2.5 feet before refusal and only the northern ½ of the sediment wedge was sampled for mercury. No rotary drilling was performed along the "A" transect and therefore no samples of the bedrock-sediment interface were taken. The bedrock-sediment interface is where mercury is most likely to be found due to its inherent elemental characteristics. The sediment material located in the "A" transect area has not been adequately characterized for mercury. The "B" transect was sampled in eight locations with both the Vibracore and rotary drill methods. Only two of the eight sample locations were sampled for mercury at the bedrock-sediment interface. The sediment material located in the "B" transect area has not been adequately characterized for mercury. The "C" transect was sampled in six locations with both the Vibracore and rotary drill methods. All six sample locations were tested for mercury but only to a maximum depth of 4.5 feet. The three rotary boreholes from north to south measured 13.8, 12.8 and 11.2 feet deep respectively. The sediment material located in the "C" transect area has not been adequately characterized for mercury. Additional sampling during sediment removal may be needed to fill in gaps in sampling coverage.

California Environmental Protection Agency



Letter from Governor's Office of Planning and Research Continued

10-2000 15:14

RWGC REDDING OFFICE

530 224 4857 P.04

Saeltzer Dam Fish Passage
And Flow Protection Project

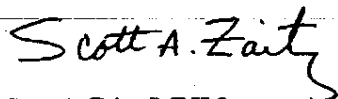
- 2 -

10 July 2000

We are also concerned that during dam and sediment removal mercury could be released as water drains from disturbed sediment. This water may have to be removed prior to returning the upstream flow through the sediment excavation areas. Sediment with detected mercury needs to be as dry as possible before it is disturbed.

Dam and sediment removal will require an Army Corp of Engineers §404 permit, a Dewatering permit and a Water Quality Certification §401 permit. Upstream and downstream monitoring of mercury, turbidity and settleable solids in Clear Creek will be required during dam and sediment removal and also during the return of the upstream flow through the sediment excavation area. Sediment removal methods may need to be modified if downstream mercury levels rise above background levels.

If you have any questions, please contact me at (530) 224-4784 or the letterhead address.



Scott A. Zaitz, R.E.H.S.
Environmental Specialist III
Shasta Cascade Watershed

SAZ:sae

cc: Buford Holt, U.S. Bureau of Reclamation, Shasta Lake City
U.S. Army Corps of Engineers, Sacramento
U.S. Fish and Wildlife Service, Sacramento
Margaret Lake, U.S. Bureau of Reclamation, Construction Management Group, D-8160, Denver
State Clearinghouse, Sacramento
North State Resources, Inc., Redding

TOTAL P.04

Letter from Governor's Office of Planning and Research Continued

JUL-18-2000 15:13

RWQC REDDING OFFICE

530 224 4857 P.02



Gray Davis
GOVERNOR

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse



Steve Nissen
ACTING DIRECTOR

Memorandum

TO: Reviewing Agencies
FROM: Katie Shulte Joung, State Clearinghouse
PROJECT: Saeltzer Dam Fish Passage and Flow Protection Project
SCH # 2000062056
54
SUBJECT: Corrected Information Sent by Lead Agency

The Lead Agency has informed the State Clearinghouse that the following information has been changed: Pages 3-28 through 3-37 in the Saeltzer Dam Fish Passage and Flow Protection Project Joint EA/IS Public Draft issued June 2000 are incorrect. Please remove these pages from your document and replace with the enclosed text, pages 3-28 through 3-38.

Please note: the document on the internet is correct, and no changes will be made.

Attachment

cc: Harry Rectenwald
California Department of Fish and Game
601 Locust Street
Redding, CA 96001

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 WWW.OPR.CA.GOV/CLEARINGHOUSE.HTML

Letter from Governor's Office of Planning and Research Continued